THE HONORABLE RICARDO S. MARTINEZ 1 2 3 4 UNITED STATES DISTRICT COURT 5 WESTERN DISTRICT OF WASHINGTON 6 OSTERHAUS PHARMACY, INC. on behalf of itself and all others similarly situated, 7 Plaintiff, 8 9 CVS HEALTH CORPORATION, CVS Case No. 2:23-cv-01500-RSM 10 PHARMACY, INC., CAREMARK Rx, L.L.C. [PROPOSED] ORDER (f/k/a CAREMARK Rx, INC.), CAREMARK, 11 L.L.C., CAREMARKPCS, L.L.C., CAREMARK PCS HEALTH L.L.C.. 12 CAREMARK IPA, L.L.C., CAREMARK PART D SERVICES, LLC, AETNA INC., 13 AETNA HEALTH HOLDINGS, LLC, AND AETNA HEALTH MANAGEMENT, LLC, 14 Defendants. 15 16 17 This cause coming before the Court on the Motion to Compel Arbitration filed on 18 December 22, 2023, by Defendants CVS Health Corporation, CVS Pharmacy, Inc., Caremark Rx, 19 L.L.C. (f/k/a Caremark Rx, Inc.), Caremark, L.L.C., CaremarkPCS, L.L.C., Caremark PCS Health 20 L.L.C., Caremark IPA, L.L.C., Caremark Part D Services, LLC, Aetna Inc., Aetna Health 21 Holdings, LLC, and Aetna Health Management, LLC (together, "Defendants"), the Court being 22 fully advised in the premises, IT IS HEREBY ORDERED: 23 1. Defendants' motion is GRANTED. 24 2. The claims asserted against Defendants by Plaintiff Osterhaus Pharmacy Inc. 25 ("Plaintiff") are dismissed. 26 Perkins Coie LLP [PROPOSED] ORDER – 1

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3. Plaintiff must bring the claims asserted against Defendants in arbitration, it Dated this day of December, 2023 UNITED STATES DISTRICT JUDGE Presented by: /s/ Kevin P. Shea Kevin P. Shea, pro hac vice Seth A. Horvath, pro hac vice Elizabeth Z. Meraz, pro hac vice Aon Hussain, pro hac vice Nixon Peabody LLP 70 West Madison Street, Suite 5200	
UNITED STATES DISTRICT JUDGE Presented by: /s/ Kevin P. Shea Kevin P. Shea, pro hac vice Seth A. Horvath, pro hac vice Elizabeth Z. Meraz, pro hac vice Aon Hussain, pro hac vice Nixon Peabody LLP 70 West Madison Street, Suite 5200	1
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[PROPOSED] ORDER – 2

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